

## **BOARD OF SELECTMEN – NOVEMBER 7, 2011**

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### **I. Call to Order/Roll Call**

Chairman Brian Major reconvened the Regular meeting of the Board of Selectmen to order at 7:00 P.M. in the Selectmen's Conference Room at the Town Offices. Present were: Chairman Major and Selectmen Ted Teichert, Alex Vispoli and Mary Lyman. Also present were: Town Manager Buzz Stapczynski and Town Clerk Larry Murphy. The meeting was duly posted and cable-cast live. Selectman Salafia arrived after the meeting opened.

### **II. Executive Session**

Chairman Major called the meeting to order at 6:01 P.M. in the Board of Selectmen's Conference Room in the Town Offices. On a motion by Selectman Teichert and a second by Selectman Lyman, it was voted 3-0 to enter into Executive Session to discuss potential litigation with Town Counsel and to return to Open Session. Selectman Vispoli arrived after the Executive Session opened.

At 6:55 P.M. on a motion by Selectman Vispoli and seconded by Selectman Lyman, it was voted 4-0 to adjourn from Executive Session and to move to Open Session and not to return to Executive Session. Roll Call Vote: Chairman Major – Y, Selectman Vispoli – Y, Selectman Teichert – Y, and Selectman Lyman – Y.

### **III. Opening Ceremonies**

Chairman Major asked for a Moment of Silence followed by the Pledge of Allegiance.

### **IV. Communications/Announcements/Liaison Reports**

The Town Manager made the following announcements:

~The October 29-30<sup>th</sup> storm was historic and caused extensive damage throughout the entire town – 95% of the town was without electricity due to damage to the main electrical feed servicing Andover, Tewksbury and Dracut. National Grid assigned a representative to service Andover who was very helpful, reactive and supportive. The first priority was to restore services to the elderly and low-income housing and the nine schools that were without power. Schools re-opened on Wednesday, November 2<sup>nd</sup>. The Town Manager commended the National Grid crews on their response to restoring power and the Town crews who worked to clean up the trees and debris. The goal is to have all debris cleaned up by Thanksgiving. Local residents can take private debris to two locations: Pomp's Pond area and Bald Hill site which will be open until November 13<sup>th</sup>.

~The Annual Mid-Year Review will be presented on Wednesday, November 9<sup>th</sup> at the Memorial Hall Library at 7:00 P.M. An advisor from First Southwest will also conduct a debt forum.

~Veteran's Day celebrations are scheduled for Friday, November 11<sup>th</sup> starting at West Parish Cemetery at 10:00 A.M., Spring Grove Cemetery at 11:00 A.M. and the Ballardvale Green at Noon.

~The Special Town Meeting will be held on Monday, December 5<sup>th</sup> at the Collins Center. The Warrant for the 2012 Annual Town Meeting in the Spring officially opens today and residents have until the close of business on Friday, January 28<sup>th</sup> at 4:30 P.M. to submit warrant articles.

Town Clerk Larry Murphy said the 2009 Annual Town Meeting voted to change the model of the terms of the Punchard Free School Trustees – the new model will begin with the 2012 Town Election. The redistricting of the Andover precincts is complete. A

draft of the Federal Districts on the State website shows Andover as one of ten districts to be split in two represented by different members of Congress. Mr. Murphy also announced that the Town Clerk's Office will host a voter registration desk at the December 5<sup>th</sup> Special Town Meeting.

Selectman Lyman thanked the staff of the Plant & Facilities and DPW Departments for their work to clean up after the storm which included tree work and snowplowing. She hopes they can continue to have cross-over of DPW & P&F staff working together. Selectman Vispoli thanked management and staff for their response to emergency meetings stating the Town organizers performed admirably.

Selectman Teichert congratulated the Steelers of the Andover Jr. Football League on winning the Football Championship. He also congratulated the AHS Cheerleaders who came in second in the Merrimack Valley Championship and qualified for the regional competitions.

V. Citizens Petitions and Presentations

Bob Willard, 76 Tewksbury Street, read a prepared statement asking that after all Union contract negotiations a brief statement jointly prepared be published by the negotiators listing each of the major issues and the current position of each side be provided. All parties deserve to see the positions of both sides of every issue in order to judge which positions are reasonable.

Mary Carbone, 3 Cyr Circle, thanked the staff at Memorial Hall Library for opening their doors during the storm. She also had questions relative to the Town Yard site at Campanelli Drive, wanted to know how the area will be zoned and said the River Road site is too far away from the center of Town.

Bob Marshall, Samos Lane, asked if there is an additional piece of land the Town is considering purchasing at the Campanelli Drive / River Road and if the salt and fuel depot will be located near the water.

VI. Public Hearings

Chairman Major opened the Public Hearing at 8:20 P.M.

A. Columbia Gas of Massachusetts

Columbia Gas of Massachusetts is requesting permission to excavate for the purpose of replacing and/or extending its gas mains and to make the necessary house connections along said extensions, as follows:

- To replace the existing cast iron pipe with 1,530 feet of new 6" HDPE pipe on William Street and 50 feet of 6" HDPE pipe on Sherbourn Street. The location of the work is shown on Plan #05262011-D dated 9/20/11. This is being done due to a municipal encroachment.

The request has been reviewed and approved by the Department of Public Works subject to the condition that a street opening permit must be obtained from the DPW prior to the commencement of any construction.

Steve Gates, 54 Williams Street, inquired about the plans to repave Williams Street after the excavation is completed, will the paving be lateral (house to house). A representative from Columbia Gas was not present to provide information on repaving.

Selectman Lyman motioned to continue the hearing until the Board of Selectman Meeting of November 14<sup>th</sup>. The motion was seconded by Selectman Vispoli and voted 5-0 to continue. Chairman Major declared the hearing to be continued until November 14<sup>th</sup> when a representative from Columbia Gas would be available to respond to the questions.

**B. FY-2013 – FY-2017 Capital Improvement Program**

The Town Manager presented the CIP for FY-2013 – FY-2017 and stated the Finance Committee has requested the Town Manager show the CIP for a five-year span as intended in the by-laws. The presentation shows the requests by year, by Department and the Town Manager's recommendation. This year the CIP totals \$12,067,569 and is funded as follows:

General Fund Revenues	\$2,020,000
General Fund Borrowing	\$5,325,000
General Fund Exempt Borrowing	\$ to be determined
Special Dedicated Funds	\$2,163,569
Water & Sewer Enterprise Funds	\$2,559,000

The Town Manager's presentation included a review of the items to come out of the General Fund Revenues (Pay-as-you-go), the Capital Project Fund Appropriation History from FY-2000 to FY-2012, the larger projects on the General Fund Borrowing list, a graph of the General Fund non-exempt debt (requires a 2/3 vote at Town Meeting) and a graph of projected debt service pay-off schedule. He stated the General Fund Exempt Borrowing will be determined upon the projects coming forward (Town Yard, Ballardvale Fire Station, etc). He also displayed a chart of the Special Dedicated Funds and the list of projects for FY-2013. The Water and Sewer Enterprise Fund will cover expenses for vehicles, Water Treatment Plant filter, upgrades, replacement of major water main projects and water distribution maintenance program.

The FY-13 Revenue Expense Projections and Assumptions can be found on pages 151 and 152 of the CIP book with Revenue of \$147,041,367 (2.6%), and Expenses totaling \$49,787,918 (5.0% increase) a 1.2% increase for operational expenses. The CIP can be accessed on the Town's website with hard copies available in the Town Manager's Office and Memorial Hall Library.

**VII. Regular Business of the Board**

**A. Board of Selectmen Biographies & Photo Book**

Former Selectman Gail Ralston appeared before the Board and said she is updating the Selectmen's Biographies and Photo Book and compiling short biographies of each of the eighty-four Selectman dating back to 1855 to give an insight into the type of people who volunteered to serve the Town.

On a motion by Selectman Vispoli with a second by Selectman Salafia, it was unanimously voted to give full support to Gail Ralston in updating the history of the Board of Selectmen.

**B. Information Technology Report**

Paul J. Puzzanghera, CIO, gave a presentation on the Town's Information Technology and progress of the IT Consolidation. His initial observation shows the Fiber Optic Network to be robust and prepared for expansion. The School server is close to best

practices, basic measurement tools are in place, staff provides a good level of support and responsiveness to work orders, and teachers are excited about technology. The School website utilizes a contemporary content management approach.

Areas to improve:

Town:

- Eliminate redundancies
- Two separate email systems for Town and School – have one system
- No sharing of the four separate IT systems
- Town revenue environments based on Digital Alpha Platform – DEC ceased to exist in 1998

Schools:

- Wireless infrastructure
- Uniformity of usable devices
- Student/Teacher fleet of computers aging
- Smartboard deployment is haphazard
- Limited amount of bandwidth
- No easy access from home
- Shared maintenance of desktops is labor intensive

Organizational issues include the need for an educational expert and long-term planning and measurement is less than robust.

Goals for 21<sup>st</sup> Century Town:

- Measure everything, eliminate paper, increase transparency
- Make data accessible, all transactions online 24/7
- Town Offices more efficient communication
- Higher level of communication and engagement for students/parents
- Virtual school 24/7
- Funding an overall plan, reorganizing, improving the infrastructure, and efficiencies
- Aging school fleet

Mr. Puzzanghera proposes to replace the Town/School administration PC's, teacher PC's and moving to a 1-to-1 computer system with students for the middle and high school, beginning the dialogue on the student fleet, provide a more sustainable environment and upgrading the infrastructure.

In Mr. Puzzanghera's closing observations, he said the Town/School is under invested in Information Technology, we need to find creative funding, provide sustainable PC's for students, create partnerships with parents and make prudent investments to improve efficiencies of both the Town and School Departments.

## **VII. Regular Business of the Board**

### **C. Andover Youth Foundation Agreement**

Chairman Major said the Town and the Andover Youth Foundation are working to craft an Agreement and are close to a final draft. Town Counsel Thomas J. Urbelis gave a broad outline of the draft Agreement between the Town and the Andover Youth Foundation for the proposed Youth Center. The estimate for the design and construction of the 20,000 sq ft facility and parking is \$4.2M. If the warrant article passes, the Andover Youth Foundation (AYF) will give the Town \$400,000 for the hiring of an

architect pursuant to State laws, the Town Manager will appoints a seven member Building Committee, the Director of Youth Services will act as a liaison to the Building Committee and depending upon costs/design plans, the preliminary plan may be changed. AYF will review the plans and if in agreement, the bid documents will go out and then per Town Meeting vote, AYT will give a minimum of \$2.2M (which includes the \$400,000) to the Town. AYF will give the difference between the construction costs and the \$2.0M and an additional 10% of total costs for contingencies. Town employees will supervise construction and AYF will pay for the Clerk of the Works. AYF will pay \$30,000 per year for operating expenses unless relieved by Selectmen at an open meeting and AYF has naming rights to the building, rooms, and exterior improvements for forty years. He said the draft of the Agreement is 95% complete. Issues include phasing of control and scheduling and how to handle cost overruns should they occur would be covered by AYF.

Attorney Urbelis said Warrant Article 4 addresses the issue of correcting the scrivener's error referencing "Parcel A" in the vote on Article 24 of the 2007 Annual Town Meeting to transfer the care, custody, control and management of the parcel of land for the proposed youth center.

**D. Economic Development Committee**

Selectman Vispoli explained the idea of creating an Economic Development Committee to provide a formal voice for businesses in Andover, establishing a partnership between the business community and the Town to insure responsiveness, a vision, best practices, and a formalized opportunity to present action plans and quarterly reports. This would be an opportunity to improve relations with the business community, identify trends, and look at big picture items in the downtown area. Next steps in the process would include asking the Town Manager to determine potential candidates for the Committee.

On a motion by Selectman Vispoli with a second by Selectman Salafia, the Board unanimously voted to begin to initiate a draft of the creation of an Economic Development Committee to develop a mission and implementation plan.

**E. Public Safety Mutual Aid Law**

Police Chief Brian Pattullo explained the Mutual Aid Agreement for State-wide Public Safety and State-wide Public Works OPT-in Forms (provided in the Board's packet). The agreement for public safety includes services for building and health inspection, public works services, and other services needed during an emergency event. The legislation adopted last year allows for communities to opt in and provides a framework in which the Town can request needed assets during an emergency or dispatch assets to other parts of the state when requested. The Town would not be obligated to send assets if we needed them at home. The Chief recommends the Board authorize the Town Manager to enter into the Mutual Aid Agreement.

On a motion by Selectman Vispoli with a second by Selectman Lyman, the Board unanimously voted to authorize the Town Manager in accordance with each of the applicable statutes, its participation in each of the mutual aid agreements in Mass General Law c. 40, 4J – Statewide Public Safety Mutual Aid Agreement and Mass General Law c. 40 4K – Statewide Public Works Municipal Mutual Aid Agreement.

**F. Special Town Meeting Warrant**

Selectman Vispoli motioned that the Board of Selectmen approve and sign the Special

Town Meeting Warrant as printed for the December 5, 2011 Special Town Meeting. The motion was seconded by Selectman Teichert. The motion was amended on a motion by Selectman Vispoli to include “from taxation”, seconded by Selectman Teichert and unanimously approved.

### VIII. Consent Agenda

#### A. Holiday Parade

On a motion by Selectman Salafia with a second by Selectman Lyman the Board voted 5-0 to approve the request of Firefighter Brian Flanagan, on behalf of the Andover Firefighters, for permission to conduct their annual Holiday Parade on Sunday, November 27, 2011 (rain/snow date – Sunday, December 4, 2011) from Noon to 2:00 P.M. through downtown Andover. He is also requesting permission to use the parking areas at the Doherty Middle School and close the following streets: Whittier Street, Elm Street from Whittier Street to Main Street, Main Street from Elm Square to Punchard Avenue, Punchard Avenue and Bartlet Street. The application has been reviewed and approved with conditions by the Police Department.

#### B. Crafts-in-the-Park

Selectman Teichert motioned to approve the request of Vahe Apelian, President of the Andover Chapter of the American Field Service, for permission to use The Park on Saturday, May 12, 2012 (rain date – Sunday, May 13, 2012) for their annual Crafts-in-the-Park event. The request has been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Vispoli and voted 5-0 to approve.

#### C. Krit Classic Road Race

Selectman Lyman motioned to approve the request of Pamela Kearins Sheehy for permission to conduct the 4<sup>th</sup> Annual “Krit Classic IV” road race through the streets of Andover on Sunday, June 3, 2012 beginning at 9:00 A.M. at Andover High School. The request has been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Vispoli and voted 4-0 to approve. Selectman Teichert abstained.

#### D. Appointments and Re-appointments

Selectman Vispoli motioned to approve the following appointments by the Town Manager and as printed in the agenda.

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>ELDER SERVICES</u>			
Andrea S. Zaimes	Office Assistant – Volunteer – PT	IE12-1-0/\$20.13/hr.	11/1/11
Louise R. Edelblute	Social Day Care Coordinator – PT	IE20-2-0/\$28.35/hr.	11/28/11
	(v. M. Aziz)		
<u>DEPARTMENT OF PUBLIC WORKS – Treatment Plant Division</u>			
James Misenti	Jr. WTP Operator	W8-1-5/\$53,810	11/8/11
	(v. R. Dillon)		
<u>DEPARTMENT OF PUBLIC WORKS – Highway Division</u>			
Stephen Surette	Working Foreman	W9-2-3/\$56,304	11/8/11
	(v. B. Burwell)		

**COMMUNITY SERVICES**

Mark R. Downing Instructional Staff II – PT

C8C/\$15.00/hr.

11/1/11

The motion was seconded by Selectman Salafia and voted 4-0 to approve. Selectman Lyman recused herself from voting.

Selectman Lyman said she feels there is a breakdown in communications relative to what was agreed to relative to the hiring of part-time help.

**IX. Approval of Minutes from Previous Meetings**

On a motion by Selectman Vispoli with a second by Selectman Salafia it was voted 5-0 to approve the Tri-board meeting Minutes of October 13, 2011.

**X. Adjournment**

On a motion by Selectman Vispoli with a second by Selectman Salafia the Board unanimously voted to adjourn the Regular Meeting at 10:25 P.M.

Respectfully submitted,

Dee DeLorenzo, Recorder

Documents: Letter from Police Chief Brian Pattullo – Mutual Aid Agreement  
Presentation of IT-Initial Observation and Direction – CIO Paul Puzzanghera  
Grant Agreement / General Concepts for proposed Youth Center